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FILED

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**New Jersey State Board of
Massage and Bodywork
Therapy Examiners**

By: Susan Carboni
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MASSAGE AND BODYWORK
THERAPY

_____	:	Administrative Action
IN THE MATTER OF THE	:	
LICENSURE OF	:	CONSENT ORDER
	:	GRANTING LICENSURE
CHRISTINE FALGIANO	:	WITH PROBATION
	:	
AS A MASSAGE AND BODYWORK	:	
THERAPIST	:	
_____	:	

This matter was opened to the Board of Massage and Bodywork Therapy ("the Board") upon receipt of the application of Christine Falgiano for licensure as a massage and bodywork therapist. Upon a review of the application and the criminal history background check, it was ascertained by the Board that the applicant had been convicted of manufacture and distribution of cocaine on June 10, 2008. She was sentenced to two years probation and assessed a total of \$1,205.00. Ms. Falgiano had

previously been arrested for possession of marijuana and of drug paraphernalia in 2001, but the charges were ultimately dismissed.

Respondent disclosed her criminal history on her application. She indicated that she had "no excuse" for the two incidents that led to her arrest, and admitted that both incidents were "stupid, thoughtless, immature, selfish, mindless acts."

The Board notes that Ms. Falgiano's conviction, although it occurred in 2008 and is somewhat distant in time, was for a serious offense and relates adversely to the practice of massage and bodywork therapy within the intendment of N.J.S.A. 45:1-21(f), in the sense that impairment and distribution of narcotics is antithetical to consumer protection.

The Board notes, however, that Ms. Falgiano's conviction occurred approximately six years ago, and there have been no arrests since. Cognizant of the principles underlying the Rehabilitated Convicted Offenders Act, the Board finds that granting the applicant's request for licensure while imposing a period of probation is appropriate under the circumstances. Finding that the within order is sufficiently protective of the public health, safety and welfare, and for other good cause shown;

IT IS ON THIS 4th DAY OF August, 2014

HEREBY ORDERED AND AGREED THAT:

1. Ms. Falgiano's application for licensure shall be granted upon her demonstration that she has satisfied licensure requirements and paid all applicable fees, if she has not already done so. Ms. Falgiano shall be placed on probation for a period of two years, dating from the filing of this Order. The conditions of probation are set forth below.

3. Ms. Falgiano shall report to the Board within five (5) business days any arrest, indictment or conviction for any crime or disorderly persons offense.

4. Ms. Falgiano shall obey all the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of massage and bodywork therapy in the State or jurisdiction in which she practices massage and bodywork therapy.

5. Any deviation from the terms of this Order without the prior written consent of the Board shall constitute a failure to comply with the terms of this Order. Upon receipt of any reliable information indicating that the applicant has violated any term of this Order, Ms. Falgiano's license may be automatically suspended by the Board. Ms. Falgiano, upon notice, may request a hearing to contest the entry of such an order. At any such hearing, the sole issue shall be whether any of the

information received regarding Ms. Falgiano was materially false.

6. At the end of the term of probation, Ms. Falgiano may petition the Board in writing for release from the terms of this Order. In the event that there have been no arrests or convictions during the period of probation, the Board may then grant such a petition by means of a written communication, without need for further Order of the Board.

NEW JERSEY STATE BOARD OF
MASSAGE AND BODYWORK THERAPY

By: Cynthia Sinicropi-Philibosian
Cynthia-Sinicropi-Philibosian
Chairperson

I have read and understand the
Within Consent Order and
agree to be bound by its terms.

Christine Falgiano
Christine Falgiano